

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CV-23223-RAR

JAMES H. WEAREN, *et al.*,

Plaintiffs,

v.

X AUTO IMPORT AND EXPORT CORP., *et al.*,

Defendants.

ORDER REQUIRING COMBINED RESPONSES AND PROOFS OF SERVICE

THIS CAUSE comes before the Court *sua sponte*. The record indicates that Defendant CFS of South Florida, LLC has been served with process. *See* Return of Service [ECF No. 5]. However, no proof of service has been filed for the other Defendants in this matter. To better manage the orderly progress of this case, it is hereby

ORDERED AND ADJUDGED that CFS of South Florida, LLC shall not file a response until the remaining Defendants, X Auto Import and Export Corp. and Rayan Daza, have been served with process. After the remaining Defendants have been served, all Defendants shall submit a **single combined response or separate answers** within the time allowed for the last-served Defendant to respond. Plaintiff shall promptly file a return of service after serving the remaining Defendants.

Further, Rule 4(m) of the Federal Rules of Civil Procedure requires service of the summons and complaint to be perfected upon a defendant within 90 days after the filing of the complaint. Plaintiffs filed their Complaint on August 23, 2023. [ECF No. 1]. Therefore, on or before **November 21, 2023**, Plaintiff shall perfect service upon X Auto Import and Export Corp. and

Rayan Daza or show good cause as to why this action should not be dismissed as to those Defendants for failure to perfect service of process. Failure to file proof of service for X Auto Import and Export Corp. and Rayan Daza or show good cause by **November 21, 2023**, will result in a dismissal of this action as to those Defendants without further notice.

DONE AND ORDERED in Miami, Florida, this 25th day of August, 2023.

A handwritten signature in black ink, appearing to read 'Rodolfo A. Ruiz II', written over a horizontal line.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE